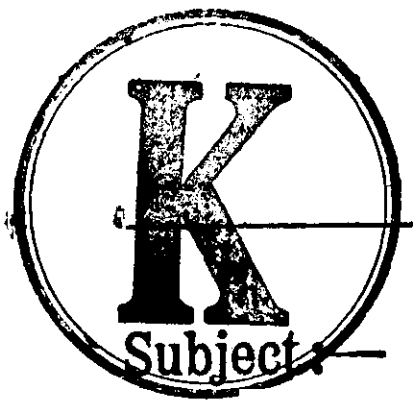
19 42 **File No.** Vill : Panch · II/42



Legal **DEPARTMENT**

B **BRANCH**

p.30/E)

Rules and Notifications under the Bombay Village Panchayats Act, 1933.

File No. Village Panch II/42
Std. Sectt. Slip 24 B e.

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V.VK. 5/5/1956.

T S C.

8/5

Office of the R.L.A.

Section 4(2) (a) of the Bombay Village Panchayats Act, 1933 (Bom.VI of 1933), authorises the Government of Bombay, after consultation with the district local board, to include within any village or exclude from any village any local area or otherwise alter the limits of any village, As the draft notification proposed on page 11 does not mention the specific local area to be ~~xx~~ included or excluded from the Agashi within Arnala. Village, it will be necessary to alter the original limits of the said villages, so as to consist of the local areas respectively specified. Accordingly, in place of the draft notification on pages 11-13 ante, a revised draft notification is sent herewith.

The expression "8 acres 16 gunthas out of 801" used in the description of Survey Numbers included under Agashi village, is vague and it is necessary that this area should be described with reference to its specific location.

2. The draft notification on pages 15-16 ante, as amended is in order.

~~S.C.~~Sd/- H.K.D.
dt/-11/4/
For Remembrancer of Legal Affairs.

U.R. to G.D. No. 5/68, dated the 13 th April 1942.

V.VK.
4-5-1956.

4C.

NOTIFICATION.

General Department.

Bombay Castle, 1942.

The Bombay Villa e Panchayats Act,193?.-

No.518/33-C.-- In exercise of the powers conferred by clause (a) of sub-section (2) of section 4 of the Bombay Village Panchayats Act,-1933 (Bom.VI of 1933), and in modification of Government Notifications, in the General Department, No. 518/33 (b) dated the 19th March 1940 and No.518/33 (b) dated the 13th July 1940, the Government of Bombay, after consultation with the district local board, Thana, is pleased to alter, with effect from the date of this notification, the limts of the villages of Agashi and Arnala so as to consist respectively of the local areas specified below, namely:-

Agashi Village
Survey Numbers.

1 to 19,28,29, 161,174, 177 to 199 200A, 200B, 201A, 201B, 202, to 204, 206 to 215, 220A, 220B, 221 to 224, 227, 228, 249,284, 357,358, 736,737,744,779,780,798 to 800 8, Acres 16 Gunthas out of 801,817,818,819B,820,845,854.

Gavthan and other land.

	Area A.Gs.	Land occupied by	Area. A.Gs.
(1) Agashi Gavthan.	23-2½	(4)School	0-30
(2) Temphipada	2-10	(5)Road.	8-31½
(3) Pura Pada.	4-36	(6)Streams	2-25½

Arnala Village.
Survey Numbers.

535 to 548, 592 to 596,597A,597B,598 to 606, 607A, 607B, 686 to 691, 694, 710, 719 to 728, 729A,729B,730,754 to 757, 768,769, 772,793,794,821,840,846,947.

Gavthan and other land

	Area A. Gs.	Land occupied by	Area A.Gs.
(1) Arnala pada	7-22	(4) The Church.	0 -9
(2) Koli pada.	8-33½	(5) Road	1-20
(3) Kalyacha pada	2-28		

By order of the Governor of Bombay,

Joint Secretary to Government.

V.VK.
4-5-56.

4C.

Office of the R.I.A.

The draft notification on page 127 ante as amended is in order. A revised draft notification in place of the proposed draft notification on pages 129-30 ante is sent herewith.

O.C. Id/- N.K.P.
dt./-6/6/

U.O. to O.P. No. 3830 , dated the 7th May 1942.

V.VK.
4-5-1956.

OC.

General Department.

Bombay Castle, 1942.

The Bombay Village Panchayats Act, 1933.

No.S.174(9) . The following draft of a notification which it is proposed to issue in exercise of the powers conferred by clause (b) of sub-section (1) of section 108 of the Bombay Village Panchayats Act, 1933, (Bom.VI of 1933), is published as required by sub-section (2) of the said section 108 for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the Government of Bombay on or after the Day of * * 1942.

To be filled by R.D.

2. Any objection or suggestion which may be received by the Under Secretary to the Government of Bombay, General Department, from any person with respect to the said draft on or before the date aforesaid will be considered by Government.

DRAFT NOTIFICATION.

No. .In exercise of the powers conferred by clause (b) of sub-section(1) of section 108 of the Bombay Village Panchayats Act, 1933(Bom VI of 1933) the Government of Bombay is pleased to direct that Government notifications specified in column 1 of the Schedule hereto annexed shall be amended as shown in column 2 of the said Schedule.

SCHEDULE.

Government Notifications	Amendme
1	
General Department	In column 6 of the

No.S.174/9 dated the 16th June 1941	Schedule for the figure "1"the figure "2" shall be substituted.
2.General Department No.S.174/9dated the 23rdJune 1941.	In the Schedule , in columns 4 and 6 against serial No.1 , the figure "1" shall be inserted ; and in column 5 against the said serial number the figure "1" shall be deleted.

By order of the Governor of Bombay,

Under Secretaty to Governme-nt.

V.VK.
3-4-56.

4C.

Office of the R.I.A.

The first question for consideration is whether a District Local Board can refuse to accept responsibility with regard to surety bonds ~~xxxx~~ to be executed by the Secretary of a village panchayat under rule 4 of the proposed rules (page 130).

The rule provides for a bond to be executed by the Secretary in favour of a District Local Board. The execution of a bond forms a condition of the Secretary's service for ~~which~~ which a rule is competent under section 108(1)(el) of the Bombay Village Panchayats Act, 1933. The rule no doubt impliedly casts a duty on the District Local Board to agree to the bond being executed in its favour. In fact the Board must assist the panchayats in this matter under the statutory obligation imposed by section 95(1) of the Act. When an express imposition of one duty (on the Secretary) impliedly imposes another (on the Board), the implied imposition is binding (See Maxwell-VIII Edn. at page 315). The only question is whether as a matter of policy the duty should be imposed on the Board even when it is unwilling to shoulder it. This can always be done by legislation (or subordinate legislation where it is intra vires), once the policy is settled. It seems that G.O. has decided that the duty should be imposed on the Board, and it is clear from the control chapter(XI) (especially section 107) of the Act, read with section 127 of the Bombay Local Boards Act, 1923 that the discharge of the duty can be administratively enforced. The answer to the question is therefore in the negative.

The second question for consideration is whether caluse (b) of the proposed rule 5 is inconsistent with section 20 of the Bombay Village Panchayats Act.

This section vests in the Sarpanch the executive power for the purpose of carrying out the provisions of the Act and the resolutions of the Panchayat and enables the Deputy Sarpanch to exercise his powers in certain circumstances. Clause (b) of the proposed sub-rule 5 does not relate to executive power at all; it only relates to the ministerial duty of carrying out the executive orders of the Panchayat and imposes it on the Secretary. The Sarpanch being the executive of the Panchayat under section 20(see marginal note) his orders are the executive orders of the Panchayat. The use of the expression "executive orders" seems to have misled the Director of the L.S.G.Institute:the expression is here used in order to distinguish executive from judicial orders. The proposed rule is therefore intra vires and not inconssistent with section 20.

O.C. Id/-P.N.M.
dt/-14/5
Remembrancer of Legal Affairs.

U.R. to G.D. No. 4057 dated the 15th May 1942.

V.VK.
4-5-56.

4C.

Office of the [illegible].L.A.

A revised draft notification is sent herewith.

Id/-N:K.D.
dt.19/5/
For Remembrancer of Legal Affairs.

U.O.R. to H.[illegible]. No. 4180 , dated the 21st May 1942.

[illegible].VK.
4-5-1950.

40.

NOTIFICATION.
Home Department.
Bombay Castle, 1942.

The Bombay Village Panchayets Act, 1933 (Bom. VI of 1933)

No. 4514/4.- In exercise of the powers conferred by sub-section (2) of section 37 of the Bombay Village Panchayats Act, 1933 (Bom VI of 1933), hereinafter called "the said Act" the Government of Bombay is pleased to direct that the village-benches constituted for the villages specified in column 2 of the Schedule hereto annexed in the districts respectively specified against them in column 1 of the said Schedule, shall exercise the following judicial powers, namely:-

(a) power to try suits of the nature described in sub-sections (1) and (2) of section 39 of the said Act,

(b) power to take cognizance of and try the following offences, namely:-

(i) Under the Indian Penal Code:-

	Section
Negligently doing any act known to be likely to spread the infection of any disease dangerous to life	269
Fouling the water of a public spring or reservoir..	277
Causing danger, obstruction or injury to any public way ..	283

(ii) Under the Cattle-trespass Act, 1871:-

Forcibly opposing the seizure of cattle or rescuing the same..	24

(iii) Breaches of by-laws made punishable under the said Act.

(P.T.O.)

SCHEDULE.

Here insert A.A on p. 89 ante as amended in pencil.

By order of the Governor of Bombay,

Secretary to Government.

V.VK.
4-5-1956.

4C.

Office of the H.L.A.

A revised draft notification is sent herewith.

A.C. Id/-P.N.M.
dt/-16/6

Remembrancer of Legal Affairs.

U.R. to G.O. No, 4952 dated the 17th June 1942.

V.VK.
4-6-1936.

4C.

NOTIFICATION. 9A

General Department.

Bombay Castle , 1942.

The Bombay Village Panchayats Act, 1933.

No.S.174/6:- The following draft of a notification which it is proposed to issue in exercise of the powers conferred by clause (f) of sub-section (1) of section 108 of the Bombay Village Panchayats Act, 1933(Bom,VI of 1933) ,is published as required by sub-section (2) of the said section 108, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration by the Government of Bombay on or after *

* to be filled in by G.D.

* 1942.

2. Any objection or suggestion which may be received by the Under Secretary to the Government of Bombay , General Department , from any person with respect to the said draft before the aforesaid date will be considered by Government.

DRAFT NOTIFICATION.

No. -. In exercise of the powers conferred by clause (f) of sub-section (1) of section 108 of the Bombay Village Panchayats Act, 1933(Bom.VI of 1933) , the Government of Bombay is pleased to amend the Village Panchayats Budget and

(P.T.O.)

Accounts Rules, 1934, as follows, namely:-

In entry IV in the first column of Form 1, and in entry 8 of Form 2 ,appended to the daid rules, the item (a) and the brackets and letter "(b)" shall be omitted.

By order of the Governor of Bombay,

Under Secretary to Government.

V.VK.
4-5-56.

4C.

Office of the R.L.A.

A revised draft notification is sent herewith.

Sd/-N.K.Dravid.
For Remembrancer of Legal Affairs.

U.R. to G.D. ,No. 6424 ,dated the 7th August 1942.

V.VK.
4-5-1956.

4C.

NOTIFICATION.

General Department,
Bombay Castle, 1942.

The Bombay Village Panchayats Act, 1933.

No. .-- In exercise of the powers conferred by clause (a) of sub-section (2) of section 1 of the Bombay Village Panchayats Act, 1933 (Bom. VI of 1933), the Government of Bombay, after consultation with the district local board, West Khandesh, is pleased to include within the village declared in Government Notification in the General Department No. 518/33(a), dated the 19th March 1940, the remaining area of the revenue village of Sindkheda in the Sindkheda taluka of the West Khandesh district.

By order of the Governor of Bombay

Secretary to Government.

V.VK.
4-5-58.

4C.

Office of the P.L.A.

The draft notification proposed by C.D. does not appear to be in order because the amendment proposed by C.D. in rule 1 lays down that the loan is given subject to the conditions mentioned in rules 2 and 3 . Rule 2 as proposed to be amended restricts the loan to a work of ---- construction and repair. This change would fail to satisfy the requirements of section 93(11) of the Bombay Village Panchayats Act, 1933. Rules 1 and 2 may be amended in the manner shown in the revised draft notification sent herewith

Id/-P.H.H.
dt/-25/9/

W.R. to C.D.., No. 7821 dated the 26th September 1941

V.VK.
4-5-56.

40.

NOTIFICATION.

General Department.

Bombay Castle, 1942.

BOMBAY VILLAGE PANCHAYATS ACT, 1933.

No.S.174(1).- The following draft of a notification which the Government of Bombay proposes to issue, in exercise of the powers conferred by clause (p) of sub-section (1) of section 108 of the Bombay Village Panchayats Act, 1933(Bom.VI of 1933), is published as required by sub-section (2) of the said section 108, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the Government of Bombay on or after the 1st October 1942.

2. Any objection or suggestion which may be received by the Joint Secretaty to the Government of Bombay, General Department from any person with respect to the said draft on or before the date aforesaid will be considered by Government

DRAFT NOTIFICATION.

NO. .- In exercise of the powers conferred by clause (p) of sub-section (1) of section 108 of the Bombay Village Panchayats Act, 1933(Bom.VI of 1933), the Government of Bombay is pleased to amend the rules prescribing the terms on which loans may be granted to a panchayat by the District Local Board under section 93 and

published in Government Notification, General Department No.S.174/1, dated the 18th December 1934 , as follows, namely:-

(1) In rule 1 of the said rules, after the words " such application" the words " is made for any of the purposes of the ~~purposes of the~~ Act and "shall be inserted;

(2) In rule 2 of the said rules, for the word "work" the word "Item" shall be substituted.

By order of the Governor of Bombay,

Joint Secretary to Government.

V.VK.
4-5-56.

4C.

Office of the R.L.A.

Rule 4.- The amendment may be recast as follows:- "As soon as possible after the publication of these rules under rule 3 and in any case not later than the 1st December next following "

Rule 8.- The proposed amendment of rule 8 is not in order . If it is intended to require any sum claimed as tax to be deposited before the appeal is entertained, provision should be made as to how the deposit is to be disposed of either when the appeal succeeds or when the appeal is dismissed. The rule is not clear also as to the amount required to be deposited. It will be necessary to state the period for which the amount is claimed as tax. I t may be noted that no sum can be claimed as due for purposes of a deposit, until it has fallen due f r recovery at he date of the apeal to the District Local Board (See rule 3) —

Rule 14,1st proviso.- There is no legal objection to changing 90 into 60.

Proposed new rule 15 at p.215.- Sub-rules(1) and (2) are repetitions of the provisions contained in sub-sections (1) and (2) of section 91. The subsequent sub-sections of section 91 make detailed provisi ns for recovery of the tax on failure of the person liable to make the payment . There is no authority in s ction 91 or in any other secti n of the Act for recovering a surcharge on the amount of the tax. Sub-rule (3) of rule 15 is ultra vires. The proposed rule 15 should therefore be omitted. The question of re-numbering rules 15 and 16 does not then arise.

The Schedule at p.225 ante.-Thea form of the Schedule is not consistent with the wording of rule 2. A revised draf Schedule is appended. It is presumed that the village Panchayats replacing former notified area committees referred to in he C.D. draft Schedule at p.225 ante are Panchayats that would be established after the date of the coming i to force of these rules. The Schedule as amended at p.225 doe

not provided for the rate of the tax where the tax is assessed on the annual letting value in the case of "other village Panchayat's". It is necessary to mention the percentage of the annual letting value at which the tax shall be levied in such cases. The G.D. will fill in the blank in column 2 entry 2, in the revised draft Schedule.

Sd/- P.N. M.
dt/- 8/8/42/

Remembrancer of Legal Affairs.

U.R. to the G.D. No. 6476 dated the 10th August 1942.

V.VK.
5-5-56.

4C.

Office of the R.L.A.

A revised draft of the rules with a draft notification is sent herewith.

2. Appendix A of the G.D. draft corresponds to Part I of the revised rules. The provision in rule 1 of the G.D. draft refers to the panchayat adopting the rules sanctioned by the Commissioners under section 108(1)(m) of the Act. The rules when made under the said section are binding on the panchayat and need not be specifically adopted. Revised rule 2 therefore omits the reference to adopting any part of these rules. The revised rules are arranged so as to separate(i) the procedure before the levy of the tax, (ii) procedure consequent on the levy and (iii) the limitation for an appeal.

3. Appendix B of the G.D. draft corresponds to Part II of the revised rules. Rules 4 and 8 of the G.D.draft correspond to rule 8 of the revised draft. As regards the rule for ~~rates~~ rates and the Schedule of the G.D. draft, these are rearranged and simplified from the drafting point of view in the revised draft of these rules. Thus, the Schedule is limited to such panchayats as have not already been levying the tax and all other cases are left to be covered by the proviso to the revised rule 6(1) The restriction of the maximum prescribed in the G.N.G.D. No. S.174/1, dated 18-12-34 applies to the rates fixed by the Commissioner in respect of all panchayats and not to any one class of panchayats (see the G.N. G.D. aforesaid at page 8 ante) The G.D. Schedule applies the restriction to one class only. In the revised rules the restriction is ~~formed~~ formed into a separate sub-rule and thus made applicable to all panchayats. A similar arrangement is adopted in respect of other taxes leviable under other Parts of these rules. In Part II however the substance of the Schedule is incorrporated in rule 6(1) itself. Rule 7 of the G.D. draft refers to the collection of passes. It is presumed that the reference is to the collection of the tax.

4. Appendix C of the G.D. draft corresponds to Part III of the revised rules. As regards the rule for rates and the

Schedule the same remarks apply as in the case of Appendix B. The other rules are rearranged and revised from the drafting point of view.

5. Appendix D of the G.D. draft corresponds to Part IV of the revised rules. As regards the rule for rates and the Schedule the same remarks apply as in the case of Appendix B. The rearrangement in the revised rules is more expedient especially to cover cases where a panchayat which levied octroi on some of the specified goods but not on others now proposes to levy octroi on the remaining goods. Such cases do not appear to be adequately covered by the G.D. draft and it is presumed that the rates in such cases are to be governed by the rates prescribed in the Schedule to the revised Part IV. Rule 1 of the G.D. draft provides for obtaining the approval of the Collector in fixing Nakas etc. The rules in other Appendices refer in a similar context to obtaining the approval of the District Magistrate. G.D. is requested to consider whether the authority whose approval is required may not be uniform, viz, the Collector.

6. Appendix E of the G.D. draft corresponds to Part V of the revised rules. As regards the rule for rates and the Schedule the same remarks apply as in the case of Appendix B. Rule 4 of the G.D. draft is unnecessary as all the marriages referred to therein are covered by regised rule 22(1) read with rule 23. Rule 5 in the G.D. draft refers to the parent or guardian celebrating a marriage. This leaves out the case of a person celebrating his own marriage or that of a major who is not his child or ward. Revised rule 22(1) covers all such cases. The concluding portion of rule 5 in the G.D. draft provides for a penal rate of tax if the prescribed notice is not given. Section 91 of the Act provides for the recovery of the tax. There is no authority however for recovering the tax at a penal rate. The provision is therefore ultra vires and is omitted in the revised draft. Since notice is required to be given under revised rule 22 and the tax is to be paid under rule 23 according to the classification of the marriage, adoption or feast

V.VK.
5-5-1956.

feast as the case may be, under the rule 21 , it is necessar for assessing thetax or fixing theclassifica i n and tho ra e that the Surpanch and the panchyat be inf rmed as t h the ex,enditure proposed to be incurred on he marria e or feast and the valu of theadoptor's .roport, at thetim of adoption. Revise rule 23 therefore provides that along with the notice of marriage, adoption or feast, as he ca e may be, informati n should be supplied to theSurpanch as to theexpenditure proposed to be made incurred on the marriage or feast and the value of theadoptor's property, as thecase may be. G.D. is requested to consider whether theprovision as to the supply of information is necessary and practicable .

7. Appendix F of the G.D. draft corresponds toPart VI of therevised rules. Rule 4 of the G.D. draft is unnecessary in view of rule 2 in Part I of theretained rules. Rule 5 of the G.D. draft is incorporated in the Explanation to the Schedule to Part VI.Sub-rules (1) and (2) of rule 7 of the G.D. draft are unnecessary in vie. of section 91 of theAct.Sub-rule (3) of thesame rule is omitted as being ultra vires, since there is no provision in the Act authorising theimsition of a surcharge on the amount of any unpaid tax. Rule 8 of the G.D. draft conflicts with section 91 of the Act and is therefore omitted. The Schedule in the G.D. draft refers only to apital valuation. It does not provide for thera e of thexx cess where the tax on owners or occupiers of houses and lands withing the village is assessed on the annual letting alue . The Schedule to Part VI provides for cases there the tax on owners or occupiers of houses and lands is asse sed on the annual letting value. As regards the rule for rates and theSche ule the same remarks apply as in thecase of Ap endix B. The rest of the G.D. draft is revised from the drafting point of view.

8. Ap endixG of theG.D. draft corresponds xx to Part VII of the revisedrules. As regards therule for rates and the Schedule the same remarks ap. y as in the case Ap.endix B. The ward " occupier oes not occur in this Part and so thedefinati n of that word in Ap.endix G of theG.D. draft has been omitted. The last sentence of rule 6 of the G.D. draft provides for the

recovery of the tax from the head or any other respectable member of the families. The words "or any other respectable member " are vague and xxxxx have been omitted. As regards rules 6 and 7 of the G.D. draft the same remarks apply as in the case of rules 7 and 8 of Apendix F respectively. Rules 8 and 9 of the G.D. draft are consolidated in rule 33 of the revised draft from the drafting point of view. Rule 10 of he G.D. draft is unnecessary in view of the relevant provisions in Part I of the revised rules.

9. Appendix H of the G.D. draft is omitted from the revised draft for the following reasons;

The rules in Appendix H of the G.D. draft seek to regulate motor stands and levy a fee therefor.The rules are sought to be related to clause (vii) of sub-section (2) of section 89 of the Bombay Village Panchayats Act,1933, The clause, as adopted under section 293 of the Government of India Act,1935 enables the village panchayats to levy "any other tax (not being a toll on motor vehicles or trailers save as provided by section 14 of the Bombay Motor Vehicles Tax Act, 1935) xxxxx which the Provincial Legislature has, under the Government of India Act, 1935, power to impose in the Province etc." The fees xxx for motor stands are relatable to entry 25 read witn entry 20 of the Concurrent Legislative List under the Government of India Act, 1935 and a Provincial Legislature has power to impose xxx such fee under the general power conferred by section 100(2) of the Government of India Act,There exists however a federal law at present, which regulates moter stands,as well as imposes a fee in respect thereof, namely sections 76 and 91(2)(c) of the Motor Vehicles Act, 1939. The existence of this federal law conditions the exercise and validity of the general power of a Provincial Legislature to legislate on the subject by reason of the provision in section 107(2) read with section 107(1) of the Government of India Act to the effect that a Provincial law on the same .- subject is void unless it is reserved for the consideration of the Governor General xxxx

be construed as higher than the power of a Provincial Legislature to enact such laws; this is abundantly clear from section 293 of the Government of India Act which explains the adaptation as intended to "bring the provisions of the law into accord with the provisions of the Government of India Act, and in particular into accord with the Provisions thereof (e.g. section 107) which-. .....prescribe the distribution of legislative and executive powers between the Federation and the Provinces," Reservation and assent of the Governor-General under section 107(2) of the Government of India Act, are a condition precedent to the validity of a fresh Provincial Law imposing a motor stand fee. Since the rules under section 99 of the Bombay Village Panchayat Act are not susceptible to the procedure of reservation and assent, the rules in Appendix H of the G.O. draft appear to be doubtful validity in the face of section 76 and 91(2)(e) of the Motor Vehicles Act, 1939. They are therefore omitted from the revised draft.

10. The G.D. should verify whether the rules as revised carry out all its intention and whether the provisions in the revised draft are administratively suitable.

Id/- P.N.M.
dt/-23/10
Remembrancer of Legal Affairs.

U.O. to G.O. No. 8645 , dated the 24th October 1942.

V.K.
5-5-55.

48.

Office of the R.I.A.

For the reasons given in R.L.A.'s opinion No.5353 dated the 16th June 1941 and Advocate General's opinion dated the 17th July 1942, it will not be legally feasible to declare the local area comprising the revenue village of Jalalpore in the Surat district, to cease to be a village ~~xfxCairxxxxxinxxhe.Surxtxx~~ under the provisions of clause (b) of sub-section (2) of section 4 of the Bombay Village Panchayats Act,1933(Bom,VI of 1933)as proposed by the General Department in the first draft notification on page 65 because the population thereof has not dropped below 2000,nor it is intended to incorporate the whole of the said area into another "Village". However , the same object will be achieved if under the provisions of clause (a) of sub-section (2)of the said section , all areas except the S.Nos. proposed to be included in "the Jalalpore village site area" are excluded from the local area comprising there revenue village of Jalalpore. Under this arrangement, the village comprising "the Jalalpore village site area" (i.e. consisting only of the S.Nos. mentioned in the draft notification on page 67) will continue to remain a village for the purpose of the Act. Then, a separate village may be declared for the local area comprising the Jalal-pore Station Road Area. The requisite draft notifications are sent herewith. The second draft notification cannot be issued until the first draft notification has issued; but there is no objection to issuing both simultaneously . However before issuing the draft notifications it will be necessary to consult ~~xhx~~ the District Local Board, Surat again.

2. The operation of the second draft notification cannot be ordered to commence "from the date on which the village panchayat is established " as the panchayat cannot be established until after the area is declared a village. A definite date may be specified for the operation of the second draft notification being a date not earlier than the date of operation of the first draft notification

Id/-N.K.D. 26/11
for Remembrancer of Legal Affairs.

U.H. to G.P. No. 9513 dated the 27th November 1942.

V.VK.
5-5-56.
40.

Bombay Village Panchayats Act, 1933.

NOTIFICATION.

General Department.
Bombay Castle, November 1942.

No. .- In exercise of the Powers conferred by clause (a) of sub-section (2) of section 4 of the Bombay Village Panchayats Act, 1933 (Bom.VI of 1933) the Government of Bombay after consultation with the District Local Board, Surat , is pleased to exclude from the village of Jalalpore in the Surat District, declared as such under Covenment Notification , General Department No. 518/33(b) dated the 19th March 1940 , the local area specified in the Schedule hereto, with effect from the *.....

* Here insert the date.

SCHEDULE.

All lands, except those bearing S.No.

*..... ..... *To be filled in by C.D.

By order of the Governor of Bombay,

Deputy Secretary to Government.

V.VK.
4-3-56.

4C.

NOTIFICATION.

General Department.
Bombay Castle, November 1942.

Bombay Village Panchayats Act,1933.

No.S.V.P./33(c).- In exercise of the powers conferred by sub-section (1) of section 4 of the Bombay Village Panchayats Act, 1933(Bom.VI of 1933), the Government of Bombay is pleased to declare that the local area specified in the Schedule hereto shall be a village with effect from .....*

.....

*To be specified by G.D.

SCHEDULE.

Lands in the revenue village of Jalalpura in the Surat District bearing S.Nos.229,220,221,222,223,633,652,630,643, 210,644,647,631,642,633,631,632,634,637.

By order of the Governor of Bombay,

Deputy Secretary to Government.

V.V.K.
-8-1956.

40.